UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/623,274	07/18/2003	Brian Gonsalves	1033-SS00378	2414

34456	7590	12/21/2004		

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EXAMINER
CHAI, LONGBIT

ART UNIT	PAPER NUMBER
2131	

DATE MAILED: 12/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
	10/623,274	GONSALVES ET AL.
Office Action Summary	Examiner	Art Unit	
	Longbit Chai	2131	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>23 December 2003</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) _____ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-22</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>18 July 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
   application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date <u>10/30/2003</u>.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

Priority

1. No claim for priority has been made in this application.

The effective filing date for the subject matter defined in the pending claims in this application is 7/18/2003.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1 – 6, 8 – 14, and 16 – 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen (Patent Number: US 6477595 B1), hereinafter referred to as Cohen.

As per claim 1, 10 and 19, Cohen teaches a system comprising: a first interface to a local area network connection to an end-user computer; a second interface to a wide area network connection to a distributed computer network (Cohen: see for example, Column 4 Line 58 – 64 and Figure 1 Element 119);

Cohen does not disclose expressly the blocking logic to selectively initiate a

blocking signal to disable communications received from the second interface from

being sent over the first interface to the end-user computer.

However, it would have been obvious to a person of ordinary skill in the art at the

time the invention was made to modify Cohen to accommodate the blocking logic

because Cohen teaches release the modem to the free pool when the inactivity is

detected at the Ethernet port for TBD minutes (Cohen: see for example, Column 10 Line

65 – Column 11 Line 3) and thereby, the blocking logic, disable communications

received from the second interface from being sent over the first interface to the

end-user computer would be obvious when the effectiveness of reusing the blocking

modem is not the concern – i.e. release the modem to the free pool as taught by Cohen

is indeed increasing the overall system resource usage efficiently and meantime block

the traffic from WAN to LAN as recited in the claim limitation.

As per claim 2, Cohen as modified teaches the claimed invention as described

above (see claim 1). Cohen as modified further teaches the blocking logic sends the

blocking signal in response to the detecting logic detecting the user inactivity for a

selected period of time (Cohen: see for example, Column 10 Line 65 – Column 11 Line

3).

As per claim 3, Cohen as modified teaches the claimed invention as described

above (see claim 2). Cohen as modified further teaches the selected period of time is

between one and ten minutes (Cohen: see for example, Column 10 Line 65 – Column 11 Line 3).

As per claim 4, 16 and 21, Cohen as modified teaches the claimed invention as described above (see claim 2. 10 and 20 respectively). Cohen as modified further teaches the selected period of time is a fixed time period (Cohen: see for example, Column 10 Line 65 – Column 11 Line 3).

As per claim 5 and 18, Cohen as modified teaches the claimed invention as described above (see claim 2 and 17 respectively). Cohen as modified further teaches the selected period of time is determined by a user of the end-user computer (Cohen: see for example, Column 10 Line 65 – Column 11 Line 3: Examiner notes TBD minutes as taught by Cohen could be either predetermined or user configurable time period which are two of most common practices well-known in the field).

As per claim 6, Cohen as modified teaches the claimed invention as described above (see claim 1). Cohen as modified further teaches the detection logic and the blocking logic is embedded within an auto-sensing Ethernet port (See same rationale as addressed above in rejecting the claim 1).

As per claim 8, Cohen as modified teaches the claimed invention as described above (see claim 1). Cohen as modified further teaches the distributed computer network is the Internet (Cohen: see for example, Column 1 Line 32 – 40).

As per claim 9, Cohen as modified teaches the claimed invention as described above (see claim 1). Cohen as modified further teaches the second interface is coupled to an internet service provider (Cohen: see for example, Column 1 Line 60 – 63).

As per claim 11, Cohen as modified teaches the claimed invention as described above (see claim 10). Cohen as modified further teaches detecting activity from the end-user computer at the routing equipment (Cohen: see for example, Column 10 Line 65 – Column 11 Line 3).

As per claim 14, Cohen as modified teaches the claimed invention as described above (see claim 10). Cohen as modified further teaches the first local data connection is an Ethernet connection (Cohen: see for example, Column 4 Line 58 – 64 and Figure 1 Element 119).

As per claim 17 and 22, Cohen as modified teaches the claimed invention as described above (see claim 10 and 20 respectively). Cohen as modified further teaches the idle time activity threshold is a programmable threshold (Cohen: see for example, See same rationale as addressed above in rejecting the claim 5).

As per claim 20, Cohen as modified teaches the claimed invention as described above (see claim 19). Cohen as modified further teaches during a second period of time after the first period of time, detecting activity at the first port of the digital subscriber line routing equipment indicating activity at the end-user computer and communicating data received at the second port of the digital subscriber line routing equipment to the first port of the digital subscriber line routing equipment and to the end-user computer (Cohen: see for example, Column 10 Line 65 – Column 11 Line 3: This is an obvious inherency feature as taught by Cohen).

As per claim 12 and 13, claim 12 and 13 do not further teach over claim 20. Therefore, see same rationale addressed above in rejecting claim 20.

3.   Claims 7 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen (Patent Number: US 6477595 B1), hereinafter referred to as Cohen, in view of Gerszberg (Patent Number: US 6510152 B1), hereinafter referred to as Gerszberg.

As per claim 7 and 15, Cohen as modified teaches the claimed invention as described above (see claim 1 and 10 respectively). Cohen as modified teaches point to point protocol used. However, Cohen as modified does not disclose expressly the wide area network is a digital subscriber line connection that carries authenticated point to point protocol over Ethernet session traffic.

Gerszberg teaches the wide area network is a digital subscriber line connection that carries authenticated point to point protocol over Ethernet session traffic (Cohen: see for example, Column 21 Line 38 – 42 and Column 19 Line 24 – 29).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Gerszberg within the system of Cohen as modified because Gerszberg teaches an improved network such as Ethernet transported over DSL modems by providing higher bandwidth, improving the CPE capabilities and lowering overall system costs to the customer (Gerszberg: see for example, Column 1 Line 27 – 30 and Column 2 Line 40 – 43).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Longbit Chai whose telephone number is 571-272-3788. The examiner can normally be reached on Monday-Friday 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on 571-272-3795.. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3788.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Longbit Chai
Examiner
Art Unit 2131

LBC

AU2131
12/16/04